

ESTTA Tracking number: **ESTTA104996**

Filing date: **10/18/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91172892
Party	Defendant Epic Systems Corporation Epic Systems Corporation 5301 Tokay Boulevard Madison, WI 53711
Correspondence Address	EPIC SYSTEMS CORPORATION 5301 TOKAY BLVD MADISON, WI 53711-1000
Submission	Answer
Filer's Name	Andrew M. Norman
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Signature	/Andrew M. Norman/
Date	10/18/2006
Attachments	Epic Answer.pdf (3 pages)(356846 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

KARL STORZ GMBH & CO, KG,

Opposer,

v.

EPIC SYSTEMS CORPORATION,

Applicant.

Opposition No. 91172892

In re U.S. Application Serial No. 78/661228
For the Trademark: STORK
Published for Opposition on March 21, 2006

ANSWER

Epic Systems Corporation, by its attorneys, Quarles & Brady LLP, hereby responds to the Notice of Opposition as follows:

Lacks knowledge and information sufficient to admit or deny any allegations contained in the introductory paragraph of the Notice of Opposition and therefore denies any allegations contained in the introductory paragraph of the Notice of Opposition.

1. Lacks knowledge and information sufficient to admit or deny the allegations in paragraph 1, and therefore denies the allegations contained in paragraph 1.
2. Admits the allegations in paragraph 2.
3. Denies the allegations in paragraph 3.
4. Denies the allegations in paragraph 4.
5. Denies the allegations in paragraph 5.

Denies any allegations contained in the final paragraph of the Notice of Opposition and denies any remaining allegations in the Notice of Opposition.

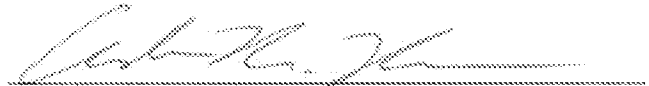
AFFIRMATIVE DEFENSES

1. Opposer has failed to state a claim upon which relief can be granted.
2. There is no likelihood of confusion between the Applicant's mark and Opposer's purported marks.

WHEREFORE, Epic Systems Corporation respectfully requests that the Notice of Opposition be dismissed on its merits, its application be granted, and that the requested trademark be issued to Epic Systems Corporation.

Dated this 18th day of October 2006.

ANTHONY A. TOMASELLI
State Bar No. 1003673
ANDREW M. NORMAN
State Bar No. 1055470



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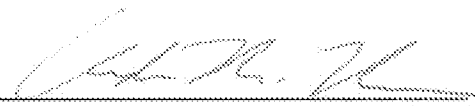
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CERTIFICATE OF SERVICE

I, Andrew M. Norman, do hereby certify that a true and complete copy of the foregoing Answer has been served on Wesley W. Whitmyer, Jr., Esq., by mailing said copy on October 18, 2006, via Overnight Courier, to:

Wesley W. Whitmyer
St. Onge Steward Johnston & Reens LLC
986 Bedford Street
Stamford, CT 06905

Dated this 18th day of October, 2006



Andrew M. Norman